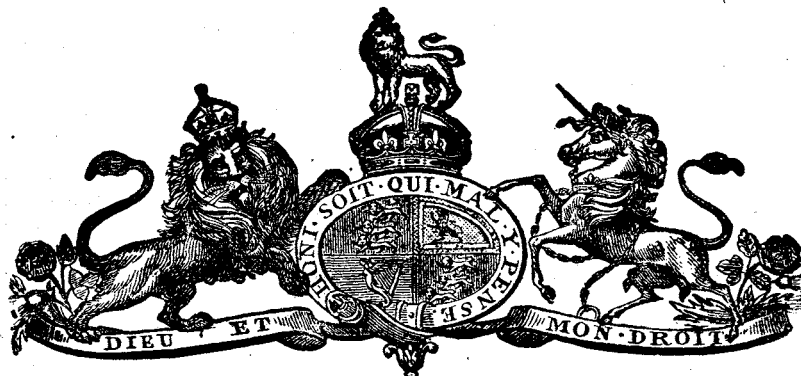


T A S M A N I A.



1909.

ANNO NONO

EDWARDI VII. REGIS,

No. 28.

ANALYSIS.

1. Short title. Incorporation.
 2. Amendment of Section 106 of Principal Act.
 3. Repeal and re-enactment of Section 140 of Principal Act.
- Certificate of analyst to be evidence for the prosecution or defence, but analyst to be called if required.

AN ACT to amend "The Public Health Act, 1903." ^{A.D.} 1909.
[22 December, 1909.] —

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as "The Public Health Amendment Act, 1909," and shall be construed as one with "The Public Health Act, 1903" (in this Act referred to as the Principal Act), and any amendment thereof. Short title.
Incorporation.
3 Ed. VII. No. 37.

2 Section One hundred and six of the Principal Act is hereby amended, as follows :— Amendment of
Section 106 of
Principal Act,

- 1 By inserting at the end of line Eight, after the word "amusement," the following words, namely :—

4d.]

Public Health Amendment.

A.D. 1909.

Repeal and
re-enactment of
Section 140 of
Principal Act.
Certificate of
analyst to be
evidence for the
prosecution or
defence, but
analyst to be
called if required.

“The expression ‘hospital’ hereinbefore mentioned includes any building or place (whether a public hospital or not) where, for purposes of gain, One or more persons are occasionally or habitually received and lodged —

- (a) For medical or surgical treatment or care; or
- (b) For treatment, attendance, or care during lying-in.”

3 Section One hundred and forty of the Principal Act is hereby repealed, and the following substituted therefor :—

“**140** At the hearing of any proceedings under this Act the production by the informant or the defendant of a certificate purporting to be signed by an analyst shall be sufficient evidence of the identity of the food or drug analysed, and of the result of the analysis, and of the facts therein stated, without proof of the signature of the person appearing to have signed the same, unless either party shall require that the analyst shall be called as a witness, and that the parts of the articles retained by the person who purchased the article shall be produced.

“Provided that at least Three clear days’ notice before the return day shall be given to the analyst if he is required to attend as a witness; and provided that a copy of a certificate to be used by the defendant shall be sent to the informant at least Three clear days before the return day; and if it is not so sent the justices or court may, if they think fit, adjourn the hearing on such terms as they may deem proper.”